

CLAIM AMENDMENTS

3. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: "the offset web has an acute angled bend attached to the base web" (claim 1), "another acute angled bend attached to the blocking web" (claim 1), "blocking tabs" offset, angled, blocking tabs" (claim 15). As stated in applicant's paragraph 1, the "an acute angled bend" and the "another acute angled bend" have been changed to first and second acute angled bends respectively. The first acute angled bend is attached to the base web and the second acute angled bend is attached to the blocking webs. The bends are bent at an acute angle as stated in claims 1-10. Claims 15-23 recite "blocking tabs" instead of "blocking webs" in order to differentiate claims 1-10, which read on Figs. 1-4, from claims 15-23, which read on Figs. 5-6. The tabs and webs are the same, but the applicant has tried to avoid confusion.
4. **Claim Objections:** Claims 1-5, 7-9, 16, and 18-20 are objected to because of the following informalities: regarding claim 1, the limitation "web" in line 11 should be webs--; The applicant agrees and has changed it.
5. **Regarding claim 2, the comma in line 4 should be deleted.** The applicant agrees and has changed it.
6. **Regarding claim 3, the limitation "a first generally horizontal bend" in line 2 is unclear whether the acute angled bend is the same bend as recited in claim 1 or another bend, this claim appears as a double inclusion of the bend.** As stated in applicant's paragraphs 1 and 3, the "an acute angled bend" and the "another acute angled bend" have been changed to first and second acute angled bends respectively. The amended claims delete "horizontal" and should make clear that it is not another bend.
7. **Regarding claim 4, the limitation "a second generally horizontal bend" in line 2 is**

unclear whether the acute angled bend is the same bend as recited in claim 1 or another bend, this claim appears as a double inclusion of the bend. As stated above, the claims have been amended to delete "horizontal" and correct this limitation.

8. Regarding claim 5, the limitation "blocking web" in line 4 should be -blocking

webs-. The applicant agrees and has changed it.

9. Regarding claim 7, the limitation "web" in lines 1 and 2 should be -webs-. The applicant agrees and has corrected it.

10. Regarding claim 8, the limitation "form rafter tabs, off each said left and right blocking web, that" in lines 1-2 should be deleted since it restates what has been said in claim 1 and confuses the subject matter trying to cover in this claim. The applicant agrees and has deleted "right angle bends form" from line 1, and "off each said left and right blocking web, that" from line 2.

11. Regarding claim 9, the limitation "an" in line 1 should be -the-, the limitation "thereby" in line 2 should be deleted, the limitation "placing" should be -places-, "a" in line 4 should be -the-, and "and" in line 5 should be -or- as frieze boards and blocking are not shown simultaneously. The applicant agrees and has changed them.

12. Regarding claims 16, and 18-20, the objections are the same as those in claims 5, and 7-9 respectively. The applicant hates to mess with claims that have been allowed, but after the helpful telephone conversation between the applicant and examiner on 10/14/03, the objections have been corrected in claims 16, and 18-20. Also, errors that were noted in claims 1-10 have been corrected in claims 15-23. The applicant has attempted to correct claims 15-23 without bringing in new matter, without changing the scope, and without changing the allowable subject matter.

CLAIM REJECTIONS - 35 USC § 103

13. Claims 1-5 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Leavens 4,965,980 in view of Byers et al. 5,524,397. Regarding claim 1, a unitary connector comprising a base web 42', offset, angled blocking webs 22' and an offset web 46'. One of the blocking webs 22' has a generally right angled bend A3 forming a rafter tab 50'. The base web 42' and the blocking webs 22 are connected by the offset web 46'. The offset web 46' has an acute angled bend A6 attached to the base web 42' and another acute angled bend A7 attached to the blocking webs 22'. However, Leavens fails to disclose each of the blocking webs 22' each having a generally right angled bend A3 forming a rafter tab 50'. Byers et al. disclose an unitary connector comprising blocking webs A4 each having a generally right angled bend forming a rafter tab 12c, 12d to allow a lumber segment to be placed against the rafter tab aligned parallel therewith. On Leavens 980', the embodiment shown on his figure 3 is the same as shown on his figure 1, except the fig 3 embodiment is a single piece (column 3, lines 35-36). Leavens' specification states "Attachment portion 42 is generally perpendicular to rain-spacer side 20..." (column 2, lines 60-62). The applicant's amended claim 5 states that the acute bends offset the blocking webs at an acute angle from the base web. The applicant's resulting acute angle between the base web (equivalent to Leavens' 42), and the applicant's blocking webs (equivalent to Leavens' 20) is physically different from Leavens' perpendicular (90°) angle.

14. Leavens' specification states "Preferably, the interior angle between angled portion 46 and extended portion 32 is approximately forty five degrees." (column 3, lines 6-8). Of course to get his rain-spacer 20 perpendicular to his attachment portion 42, the angle (examiner's A10) must be 45° , as well as his angle at examiner's A9. Both of his angles are equal. As shown on the applicant's figures, the first and second acute angle bends are unequal, in order to offset the blocking webs away from the base web and onto the blocking or frieze boards. The applicant states this in detail in claim 5. If the applicant states this in claim 1, the claims should read over Leavens'. On amended claim 1d, please insert -unequal-

between "a second" and "acute angled bend". Claim 1 now reads over Leavens.

15. Combining Leavens' bracket with Byers' bracket would be impractical. Byers' bracket is already angled for attachment to the sides of sloping rafters. Adding bends from Leaven's bracket would make compound bends. Compound cuts are rarely done on new buildings because it is difficult for non-carpenters to cut them on construction sites. Also, Byers' 397' bracket cannot have any acute angle bends on his base (examiner's A4) because it can't be bent at all with the stiffening rib 12h.
16. Combining Byers' bracket with Leavens' bracket is not practical, or suggested. Both brackets are individually complete and functional by itself, so there would be no reason to use parts from or add or substitute parts to each other. Adding Byers' bracket to the top of Leavens' bracket would form a third bent at the top 22. If combined without a third bend, Byers' bracket would be inside the house and the resulting bracket would be inoperative.
17. **Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Leavens 4,965,980 in view of Byers et al. 5,524,397, and further in view of Callies, 5,230,198. Regarding claim 8, the right angled bend A3, as taught by Byers are generally vertical, parallel, and have nail holes. Callies teaches in Figure 8 right angled bends 45 are vertical, parallel and have nail holes 34 to attach a roof rafter using nails. Callies' 198' two-piece connector is unique, but the rafter tabs 45 are not rectangular like the applicant's rafter tabs. They are more like the state of Nevada-shape, or a truncated trapezoid. Byers' tiny tabs 12c and 12d actually are trapezoid-shaped. The applicant's rafter tabs can be a strong rectangular shape because the blocking webs are offset away from the building, something that the cited references don't do, and can't do. The applicant respectfully requests that the examiner amend claim 8. On line 3, please add -rectangular- after "generally", and before "vertical, parallel". Claim 8 now reads over each cited reference, and the combined references.**

18. **Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Leavens, in view of Byers, and further in view of Callies.** Regarding claim 10, the base web 42, and the blocking webs 22 have attaching means 80 to an existing house. However, Leavens, as modified by Byers fail to disclose each rafter tab 50 having attaching means. Callies disclose each of the rafter tabs having attaching means 40 to an existing house to connect the connector to a roof rafter. Therefore, as taught by Callies, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include attaching means on each rafter tab 50 as modified by Leavens to connect the connector to a roof rafter. The three cited inventions, even combined, can not attach to the roof rafter, outside wall sheathing and underlying top plate, and the frieze plate or blocking. The applicant has amended claim 10 to show that the instant invention ties into each mentioned structural member with a web or tab.

ALLOWABLE SUBJECT MATTER

19. **Claims 15-23 are allowed.** The applicant respectfully thanks the examiner for his diligence on examining this application by a pro se inventor, and for allowing claims 15-23.

20. **Claims 6 and 9 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all the limitations of the base claim and intervening claims.** The applicant respectfully thanks the examiner for the time and effort on finding allowable subject matter. Also, the suggestions, objections, and rejections for the other pending claims were very helpful. But the applicant feels that the newly amended claim 1 reads over the cited references, and amended claims 1-10 contain patentable features and should be allowable.

21. The applicant respectfully submits that the new and amended claims are of patentable merit under Sections 102 and 103 because of the tremendous results provided for a homeowner to retrofit against earthquake and wind damage. The applicant's amended claims read over all the cited references. Accordingly, applicant submits that this application is now in full condition for allowance, which action applicant respectfully solicits. If the examiner agrees but does not feel that the amended claims are technically adequate, applicant respectfully requests that the examiner write acceptable claims pursuant to MPEP 707.07(j).

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Very respectfully,

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